

R E M A R K S

Claims 1-11 are pending in the application. Applicant amends claims 1, 3-4, 6, 8, and 10 for clarification. No new matter has been added.

Applicant respectfully requests that the Examiner acknowledge the receipt of the certified copy and translation of parent application no. PCT/JP99/04075, and the corresponding priority claim.

Claims 1-11 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

In particular, the Examiner objected to the term "the switching unit" in claims 4, 10, and 11 as lacking antecedent basis. Applicant amends claim 4 to recite "the associated switching unit," for which antecedent basis is provided in claim 1. Claims 10 and 11 depend from claim 9, which recites "a switching unit" in its preamble. Thus, Applicant respectfully submits that claim 9 provides proper antecedent basis to the switching unit claimed in claims 10 and 11.

The Examiner also objected to the term "associated switching unit" for being unclear as to what such switching unit is associated with. Applicant amends claim 1 to recite "connecting an associated switching unit, in which the connection data change device is provided, with an external switching unit," and, thus, to clearly recite the "associated switching unit" being associated with the connection data change device and being connected with an external switching unit. Applicant amends claim 8 to recite first and second switching units for clarity.

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the § 112, ¶ 2 rejection.

Claims 1-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,597,689 to Chiu et al. Applicant respectfully traverses the rejection.

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The Examiner relied upon the description of permanent virtual connection (PVC) and switched virtual connection (SVC) in Chiu et al. as alleged disclosure of the claimed fixed and variable connection types, respectively. The Examiner further relied upon the description of an Intelligent Multiservice Access System (IMAS) that can support PVC and SVC as alleged disclosure of the claimed feature of changing a connection from a variable connection type to a fixed connection type.

The cited portions of Chiu et al. only describe, however, providing support for SVC signaling in PVC-based systems. Please see, e.g., col. 18, line 15 et seq. and col. 77, line 29 et seq. cited by the Examiner. The IMAS device manager 604, relied upon by the Examiner, is merely software that allows the NMS server 600 to communicate with the IMAS for those physical parameters that are unique to each manufacturer of the equipment. And elements 452 and 465, relied upon by the Examiner, are merely components in the IMAS software architecture. Indeed, col. 19, lines 5-12 describe the network management system in Chiu et al. being provided to perform PVC-to-SVC and SVC-to-SVC translation. As such, Chiu et al., as cited and relied upon by the Examiner, do not disclose, for example, a SVC-to-PVC translation.

In other words, Chiu et al., as cited and relied upon by the Examiner, fail to disclose,

“[a] connection data change device, comprising:
a connection data management part configured to manage
connection data for connecting an associated switching unit in
which the connection data change device is provided with an
external switching unit; and
a change operation part configured to change the
connection data so that the connection with the external switching
unit is changed to a fixed connection type or a variable connection
type,

wherein said change operation part changes the connection
to the external switching unit from the variable connection type to
the fixed connection type upon receiving a request to change the

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connection to the external switching unit," as recited in amended claim 1. (Emphasis added)

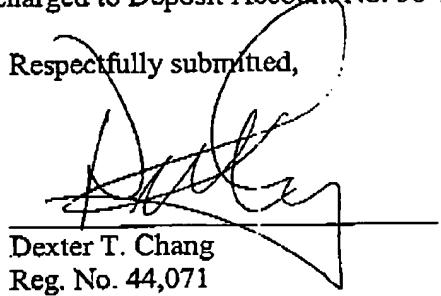
Accordingly, Applicant respectfully submits that claim 1, together with claims 2-7 dependent therefrom, is patentable over Chiu et al. for at least the above-stated reasons. Claims 8 and 9 incorporate features that correspond to those of claim 1 cited above, and are, therefore, together with claims 10 and 11 dependent from claim 9, patentable over Chiu et al. for at least the same reasons.

The above statements on the disclosures in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


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